

116TH CONGRESS
1ST SESSION

H. R. 1580

To enhance stabilization of conflict-affected areas and prevent violence and fragility globally, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 2019

Mr. ENGEL (for himself, Mr. McCaul, Mr. SMITH of Washington, Mrs. WAGNER, Mr. KEATING, and Mr. ROONEY of Florida) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To enhance stabilization of conflict-affected areas and prevent violence and fragility globally, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Global Fragility Act
5 of 2019”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) According to the United Nations, an un-
2 precedented 68.5 million people around the world,
3 the highest level ever recorded, are currently forcibly
4 displaced from their homes.

5 (2) According to the World Bank, violence and
6 violent conflict are now the leading causes of dis-
7 placement and food insecurity worldwide, driving 80
8 percent of humanitarian needs, with the same con-
9 flicts accounting for the majority of forcibly dis-
10 placed persons every year since 1991.

11 (3) According to the Institute for Economics
12 and Peace, violence containment costs the global
13 economy \$14.76 trillion a year, or 12.4 percent of
14 the world's GDP.

15 (4) Violence and violent conflict underpin many
16 of the United States Government's key national se-
17 curity challenges. Notably, violent conflicts allow for
18 environments in which terrorist organizations recruit
19 and thrive, while the combination of violence, cor-
20 ruption, poverty, poor governance, and underdevelop-
21 ment often enables transnational gangs and criminal
22 networks to wreak havoc and commit atrocities
23 worldwide.

24 (5) According to research by the University of
25 Maryland and University of Pittsburgh, exposure to

1 violence increases support for violence and violent
2 extremism. Research increasingly finds exposure to
3 violence as a predictor of future participation in vio-
4 lence, including violent extremism.

5 (6) United States foreign policy and assistance
6 efforts in highly violent and fragile states remain
7 governed by an outdated patchwork of authorities
8 that prioritize responding to immediate needs rather
9 than solving the problems that cause them.

10 (7) Lessons learned over the past 20 years, doc-
11 umented by the 2013 Special Inspector General for
12 Iraq Reconstruction Lessons Learned Study, the
13 2016 Fragility Study Group report, and the 2018
14 Special Inspector General for Afghanistan Lessons
15 Learned Study on Stabilization, show that effective,
16 sustained United States efforts to reduce violence
17 and stabilize fragile and violence-affected states re-
18 quire clearly defined goals and strategies, adequate
19 long-term funding, rigorous and iterative conflict
20 analysis, coordination across the United States Gov-
21 ernment, including strong civil-military coordination,
22 attention to the problem of corruption, and integra-
23 tion with and leadership from national and sub-na-
24 tional partners, including local civil society organiza-

1 tions, traditional justice systems, and local govern-
2 ance structures.

3 (8) The “Stabilization Assistance Review” re-
4 leased in 2018 by the Departments of State and De-
5 fense and the United States Agency for Inter-
6 national Development states, “The United States
7 has strong national security and economic interests
8 in reducing levels of violence and promoting stability
9 in areas affected by armed conflict.”. The Review
10 further states, “Stabilization is an inherently polit-
11 ical endeavor that requires aligning U.S. Govern-
12 ment efforts – diplomatic engagement, foreign as-
13 sistance, and defense – toward supporting locally le-
14 gitimate authorities and systems to peaceably man-
15 age conflict and prevent violence.”.

16 **SEC. 3. STATEMENT OF POLICY.**

17 It is the policy of the United States to—

18 (1) ensure that all relevant Federal depart-
19 ments and agencies coordinate to achieve coherent,
20 long-term goals for programs designed to stabilize
21 conflict-affected areas and prevent violence and fra-
22 gility globally, including when implementing the
23 Global Fragility Initiative established pursuant to
24 section 6;

- 1 (2) seek to improve global, regional, and local
2 coordination of relevant international and multilateral
3 development and donor organizations regarding
4 efforts to stabilize conflict-affected areas and pre-
5 vent violence and fragility globally, and, where prac-
6 ticable and appropriate, align such efforts with mul-
7 tilateral goals and indicators;
- 8 (3) expand and enhance the effectiveness of
9 United States foreign assistance programs and ac-
10 tivities to stabilize conflict-affected areas and pre-
11 vent violence and fragility globally;
- 12 (4) support the research and development of ef-
13 fective approaches to stabilize conflict-affected areas
14 and prevent violence and fragility globally, and data
15 collection efforts relevant to such approaches; and
- 16 (5) improve the tools and authorities for assess-
17 ment, monitoring, and evaluation needed to enable
18 learning and adaptation by such relevant Federal de-
19 partments and agencies working to stabilize conflict-
20 affected areas and prevent violence and fragility
21 globally.

22 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

- 23 (a) STABILIZATION AND PREVENTION FUND.—
24 (1) IN GENERAL.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the “Stabilization and Prevention Fund” (in this subsection referred to as the “Fund”), to be administered by the Department of State and the United States Agency for International Development (USAID), and consisting of amounts authorized to be—

- (i) transferred pursuant to subparagraph (B); and
- (ii) appropriated pursuant to subparagraph (2).

(B) TRANSFER AUTHORIZATION.—There is authorized to be transferred to the Fund the unobligated balance of any amounts in the Relief and Recovery Fund (including amounts provided in section 7071 of division F of the Consolidated Appropriations Act, 2019; Public Law 116–6) as of the date of the enactment of this Act. Pursuant to the completion of such transfer, the Relief and Recovery Fund is hereby abolished, and any reference to the Relief and Recovery Fund in any law, regulation, rule, or other document of the United States Govern-

1 ment shall be deemed to be a reference to the
2 Fund.

3 (2) AUTHORIZATION OF APPROPRIATIONS.—
4 There is authorized to be appropriated to the Fund
5 \$200,000,000 for each of the five fiscal years begin-
6 ning with the first fiscal year that begins after the
7 date of the enactment of this Act. Amounts author-
8 ized to be appropriated pursuant to this paragraph
9 are authorized to remain available until expended.

10 (3) PURPOSES OF THE FUND.—

11 (A) IN GENERAL.—Amounts authorized to
12 be appropriated to the Fund shall be used for
13 any of the following:

14 (i) To support stabilization of conflict-
15 affected areas and prevent violence and
16 fragility globally, including through the
17 Global Fragility Initiative established pur-
18 suant to section 6.

19 (ii) To provide assistance to areas lib-
20 erated or at risk from, or under the control
21 of, the Islamic State of Iraq and Syria,
22 other terrorist organizations, or violent ex-
23 tremist organizations, including for sta-
24 bilization assistance for vulnerable ethnic

1 and religious minority communities af-
2 fected by conflict.

3 (B) ADDITION.—Amounts authorized to be
4 appropriated to the Fund are in addition to any
5 amounts otherwise made available for the pur-
6 poses described in subparagraph (A).

7 (4) CONGRESSIONAL NOTIFICATION.—Funds
8 may not be obligated under this section unless the
9 congressional committees specified in section 634A
10 of the Foreign Assistance Act of 1961 (22 U.S.C.
11 2394–1) are notified of the amount and nature of
12 such proposed obligation at least 15 days in advance
13 of such proposed obligation, in accordance with the
14 procedures applicable to notifications regarding
15 reprogrammings pursuant to such section.

16 (b) COMPLEX CRISES FUND.—

17 (1) ESTABLISHMENT.—There is established in
18 the Treasury of the United States a fund to be
19 known as the “Complex Crises Fund” (in this sub-
20 section referred to as the “Fund”), to be adminis-
21 tered by USAID.

22 (2) AUTHORIZATION OF APPROPRIATIONS.—
23 There is authorized to be appropriated to the Fund
24 \$30,000,000 for each of the five fiscal years begin-
25 ning with the first fiscal year that begins after the

1 date of the enactment of this Act. Amounts authorized
2 to be appropriated pursuant to this paragraph
3 are authorized to remain available until expended.

4 (3) PURPOSES OF THE FUND.—

5 (A) IN GENERAL.—Notwithstanding any
6 other provision of law, except section 620M of
7 the Foreign Assistance Act of 1961 (22 U.S.C.
8 2378d), amounts in the Fund may be used to
9 carry out the provisions of the Foreign Assist-
10 ance Act of 1961 (22 U.S.C. 2151 et seq.) to
11 support programs and activities to prevent or
12 respond to emerging or unforeseen foreign chal-
13 lenges and complex crises overseas, including
14 through the Global Fragility Initiative estab-
15 lished pursuant to section 6.

16 (B) ADDITION.—Amounts authorized to be
17 appropriated to the Fund are in addition to any
18 amounts otherwise made available for the pur-
19 poses described in subparagraph (A).

20 (4) LIMITATIONS.—

21 (A) IN GENERAL.—Amounts in the Fund
22 may not be expended for lethal assistance or to
23 respond to natural disasters.

(B) ADMINISTRATIVE EXPENSES.—Not more than five percent of amounts in the Fund may be used for administrative expenses.

(A) the Committee on Foreign Relations of
the Senate;

13 (C) the Committee on Foreign Affairs of
14 the House of Representatives; and

17 (6) WAIVER.—Notification in accordance with
18 paragraph (5) may be waived if—

19 (A) notification by the deadline specified in
20 such paragraph would pose a substantial risk to
21 human health or welfare; and

(B) the congressional committees specified in such paragraph—

(ii) are provided with an explanation of the emergency circumstances that necessitated such waiver.

7 (c) OTHER FUNDING AND COST MATCHING.—The
8 Global Fragility Initiative established pursuant to section
9 6—

10 (1) may be supported by funds other than
11 funds authorized to be appropriated pursuant to this
12 section; and

13 (2) shall seek to leverage funds from sources
14 other than the United States Government in order
15 to promote coordination and cost-matching to the
16 maximum extent practicable.

17 SEC. 5. SENSE OF CONGRESS REGARDING ASSISTANCE FOR
18 THE GLOBAL FRAGILITY INITIATIVE.

19 It is the sense of Congress that the President, the
20 Secretary of State, the Administrator of USAID, the Sec-
21 retary of Defense, and the heads of other relevant Federal
22 departments and agencies should work with the appro-
23 priate congressional committees to provide sufficient types
24 and levels of funding to—

- 1 (1) allow for more adaptive and responsive pol-
2 icy and program planning, implementation, and scal-
3 ing under the Global Fragility Initiative established
4 pursuant to section 6, including through more flexi-
5 ble funding mechanisms and exemptions from spe-
6 cific and minimum funding levels when such exemp-
7 tions would make such programs better able to re-
8 spond to local needs, the results of monitoring and
9 evaluation, or changed circumstances in relevant
10 countries;
- 11 (2) better integrate the initiative and other con-
12 flict and violence reduction objectives and activities
13 into other policy and program areas, where appro-
14 priate; and
- 15 (3) support transparent and accountable multi-
16 lateral funds, initiatives, and strategies to enhance
17 and better coordinate both private and public efforts
18 to stabilize conflict-affected areas and prevent vio-
19 lence and fragility globally.

20 **SEC. 6. GLOBAL FRAGILITY INITIATIVE.**

21 (a) IN GENERAL.—

22 (1) ESTABLISHMENT.—The Secretary of State,
23 in coordination with the Administrator of the United
24 States Agency for International Development
25 (USAID), the Secretary of Defense, the Atrocities

1 Prevention Board (or any successor entity), and the
2 heads of other relevant Federal departments and
3 agencies, shall, in accordance with subsection (b), es-
4 tablish an interagency initiative, to be referred to as
5 the “Global Fragility Initiative”, to stabilize conflict-
6 affected areas and prevent violence and fragility
7 globally.

8 (2) STAKEHOLDER CONSULTATION.—The Glob-
9 al Fragility Initiative required under this subsection
10 shall be developed in consultation with representa-
11 tives of local civil society and national and local gov-
12 ernance entities, as well as relevant international de-
13 velopment organizations with experience imple-
14 menting programs in fragile and violence-affected
15 communities, multilateral organizations and donors,
16 and relevant private, academic, and philanthropic
17 entities, as appropriate.

18 (b) ESTABLISHMENT PLAN.—Not later than 180
19 days after the date of the enactment of this Act, the Sec-
20 retary of State, in coordination with the Administrator of
21 USAID, the Secretary of Defense, the Atrocities Preven-
22 tion Board (or any successor entity), and the heads of
23 other relevant Federal departments and agencies, shall
24 submit to the appropriate congressional committees an
25 interagency plan regarding the establishment of the Global

1 Fragility Initiative pursuant to subsection (a) that in-
2 cludes the following:

3 (1) Identification of the roles and responsibil-
4 ties of each participating Federal department or
5 agency, while ensuring that—

6 (A) the Department of State is the overall
7 lead department for establishing United States
8 foreign policy and advancing diplomatic and po-
9 litical efforts;

10 (B) USAID is the lead implementing agen-
11 cy for development, humanitarian, and related
12 non-security program policy;

13 (C) where appropriate, the Department of
14 Defense may support the activities of the De-
15 partment of State and USAID by providing
16 requisite security and support to civilian efforts
17 with the joint-formulation, coordination, and
18 concurrence of the Secretary of State and Ad-
19 ministrator of USAID; and

20 (D) other Federal departments and agen-
21 cies support the activities of the Department of
22 State and USAID as appropriate, with the con-
23 currence of the Secretary of State and Adminis-
24 trator of USAID.

1 (2) Identification of which officials of the De-
2 partment of State, USAID, and the Department of
3 Defense, with a rank not lower than Assistant Sec-
4 retary or Assistant Administrator, as the case may
5 be, will be responsible for overseeing and leading the
6 initiative.

7 (3) Identification of the authorities, staffing,
8 and other resource requirements needed to effec-
9 tively implement the initiative.

10 (4) Descriptions of the organizational steps the
11 Secretary of State, the Administrator, the Secretary
12 of Defense, and the head of each other relevant Fed-
13 eral department or agency will take to improve plan-
14 ning, coordination, implementation, assessment,
15 monitoring, evaluation, adaptive management, and
16 iterative learning with respect to the programs car-
17 ried out under the initiative.

18 (5) Descriptions of the steps the Secretary of
19 State, the Administrator, the Secretary of Defense,
20 and the head of each other relevant Federal depart-
21 ment or agency will take to ensure appropriate host-
22 country ownership and to improve coordination and
23 collaboration under the initiative with international
24 development organizations, international donors,
25 multilateral organizations, and the private sector.

1 (6) Descriptions of potential areas of improved
2 public and private sector research and development,
3 including with academic, philanthropic, and civil so-
4 ciety organizations, on data collection efforts and
5 more effective approaches to stabilize conflict-af-
6 fected areas and prevent violence and fragility glob-
7 ally.

8 (7) Descriptions of the processes for regularly
9 evaluating and updating the initiative on an iterative
10 basis, including regarding priority country and re-
11 gional plans described in subsection (d).

12 (8) A list of priority countries and regions se-
13 lected pursuant to subsection (c), including descrip-
14 tions of the rationale for such selections.

15 (c) SELECTION OF PRIORITY COUNTRIES AND RE-
16 GIONS.—The Secretary of State, in coordination with the
17 Administrator of USAID and the Secretary of Defense,
18 and in consultation with the appropriate congressional
19 committees, shall select certain countries as “priority
20 countries” and certain regions as “priority regions” for
21 the Global Fragility Initiative—

22 (1) on the basis of—

23 (A) clearly defined indicators of the levels
24 of violence or fragility in such country or re-
25 gion, such as the country or region’s—

(i) ranking on recognized global fragility lists, such as the Organization for Economic Co-operation and Development States of Fragility report, the Fund for Peace Fragile States Index, the World Bank Harmonized List of Fragile Situations, the Institute for Economics and Peace Global Peace Index, and Holocaust Museum Early Warning Project Risk Assessment;

19 (B) an assessment of—

(i) the capacity and commitment of national and sub-national government entities and civil society partners in such country or region to work with Federal departments and agencies on the initiative; and

(ii) the likelihood that selection as a priority country or priority region would allow the initiative to measurably stabilize conflict-affected areas or prevent violence fragility in such country or region; and

(2) in a manner that ensures that—

(A) not fewer than three countries or regions are designated as “Stabilization Countries” or “Stabilization Regions”, as the case may be, in which current levels of violence are among the highest in the world;

(B) not fewer than three countries or regions are designated as “Prevention Countries” or “Prevention Regions”, as the case may be, in which current levels of violence are lower than such levels in Stabilization Countries or Stabilization Regions but risk factors for violence or fragility are significant;

(C) countries and regions selected are in the areas of responsibility of at least three geographic bureaus of the Department of State; and

(D) regions, rather than individual countries, are selected where the threat or spillover of violence, conflict, or fragility threatens mul-

1 tiple countries within a single geographic re-
2 gion.

3 (d) COUNTRY AND REGIONAL PLANS.—Not later
4 than one year after the date of the enactment of this Act,
5 the Secretary of State, in coordination with the Adminis-
6 trator of USAID, the Secretary of Defense, the Atrocities
7 Prevention Board (or any successor entity), and the heads
8 of other relevant Federal departments and agencies, shall
9 submit to the appropriate congressional committees ten-
10 year plans to align and integrate under the Global Fra-
11 gility Initiative required under subsection (a) all relevant
12 diplomatic, development, security assistance and coopera-
13 tion, and other relevant activities of the United States
14 Government with respect to each of the countries and re-
15 gions selected pursuant to subsection (c). Each such coun-
16 try and regional plan shall include the following:

17 (1) Specific multi-year interagency plans for co-
18 ordination and implementation under each such
19 plan.

20 (2) An up-to-date baseline analysis for each
21 such country or region, including an analysis of
22 power dynamics, impacts of violence, and conditions
23 that contribute to violence and fragility.

24 (3) Prioritized descriptions of the goals and ob-
25 jectives for stabilizing conflict-affected areas and

1 preventing violence and fragility in each such coun-
2 try or region.

3 (4) Descriptions of how and when the relevant
4 goals, objectives, plans, and benchmarks for each
5 such country or region will be incorporated into rel-
6 evant United States country plans and strategies, in-
7 cluding Department of State Integrated Country
8 Strategies, USAID Country Development Coopera-
9 tion Strategies, and Department of Defense Cam-
10 paign Plans, Operational Plans, and Regional Strat-
11 egies, as well as any equivalent or successor plans or
12 strategies.

13 (5) Interagency plans to ensure that appro-
14 priate local actors, including government and civil
15 society entities and organizations led by women,
16 youth, or under-represented communities, have an
17 appropriate ownership stake in developing, imple-
18 menting, assessing, monitoring, evaluating, and up-
19 dating relevant activities under each such plan.

20 (6) Interagency plans to integrate existing and
21 planned security assistance and cooperation pro-
22 grams in each such country or region with the initia-
23 tive and to maximize positive outcomes and mitigate
24 risks associated with such programs, including risks
25 related to corruption, governance, and human rights.

(10) A regional component outlining plans to address relevant transnational issues in cases in

1 which an individual country is selected and such
2 country is affected by or at risk of regional fragility
3 or violence.

4 (11) A component outlining plans to address
5 national-level factors at the individual country level
6 in cases in which a region is selected and such re-
7 gion is affected by or at risk of fragility or violence
8 as a result of such national-level factors.

9 (e) IMPLEMENTATION.—The Secretary of State, in
10 coordination with the Administrator of USAID, the Sec-
11 retary of Defense, and the heads of other relevant Federal
12 departments and agencies, and in consultation with the
13 Atrocities Prevention Board (or any successor entity), rel-
14 evant United States ambassadors, USAID mission direc-
15 tors, geographic combatant commanders, and other rel-
16 evant individuals with responsibility over activities in each
17 priority country or region selected pursuant to subsection
18 (c), shall ensure that—

19 (1) the Global Fragility Initiative required
20 under subsection (a), including each of the country
21 and regional plans under subsection (d), is imple-
22 mented, updated, and coordinated on a regular and
23 iterative basis; and

24 (2) such initiative is used to guide United
25 States Government policy at a senior level and incor-

1 porated into relevant strategies and plans across the
2 United States Government such that the activities of
3 all Federal departments and agencies are consistent
4 with such initiative.

5 **SEC. 7. BIENNIAL REPORTS AND CONGRESSIONAL CON-**
6 **SULTATION.**

7 (a) BIENNIAL REPORTS.—Not later than two years
8 after the date of the enactment of this Act and every two
9 years thereafter until the date that is ten years after such
10 date of enactment, the Secretary of State, in coordination
11 with the Administrator of USAID, the Secretary of De-
12 fense, the Atrocities Prevention Board (or any successor
13 entity), and the heads of other relevant Federal depart-
14 ments and agencies, shall submit to the appropriate con-
15 gressional committees an unclassified report, which may
16 include a classified annex, on progress made and lessons
17 learned with respect to the Global Fragility Initiative es-
18 tablished pursuant to section 6, including each country
19 and regional plan required as part of such initiative, in-
20 cluding the following:

21 (1) Descriptions of steps taken to incorporate
22 the initiative and such country and regional plans
23 into relevant strategies and plans that affect such
24 countries and regions.

1 (2) Accountings of all funding received and ob-
2 ligated to implement each such country and regional
3 plan during the previous two years, as well as fund-
4 ing requested, planned, and projected for the fol-
5 lowing two years.

6 (3) Descriptions of progress made towards the
7 goals and objectives established for each such coun-
8 try and region, including progress made towards
9 achieving specific targets, metrics, and indicators.

10 (4) Descriptions of updates made during the
11 previous two years to the goals, objectives, plans of
12 action, and other elements described in each such
13 country and regional plan, as well as any changes
14 made to programs based on the results of assess-
15 ment, monitoring, and evaluation.

16 (b) CONGRESSIONAL CONSULTATION.—The Sec-
17 retary of State, the Administrator of USAID, and the Sec-
18 retary of Defense shall provide to any appropriate congres-
19 sional committee upon the request of any such committee
20 regular briefings on the implementation of this Act.

21 **SEC. 8. GAO REVIEW.**

22 (a) IN GENERAL.—Not later than two years after the
23 date of the enactment of this Act and every two years
24 thereafter until the date that is ten years after such date
25 of enactment, the Comptroller General of the United

1 States shall consult with the Chairman and Ranking Mem-
2 ber of the Committee on Foreign Relations of the Senate
3 and the Committee on Foreign Affairs of the House of
4 Representatives regarding opportunities for independent
5 review of the activities under the Global Fragility Initia-
6 tive established pursuant to section 6, including opportuni-
7 ties to—

8 (1) assess the extent to which United States
9 Government activities in each country and region se-
10 lected as part of the initiative are being implemented
11 in accordance with the initiative and the relevant
12 country or regional plan under the initiative;

13 (2) assess the processes and procedures for co-
14 ordinating among and within each relevant Federal
15 department or agency when implementing the initia-
16 tive and each such country and regional plan;

17 (3) assess the monitoring and evaluation efforts
18 under the initiative and each such country and re-
19 gional plan, including assessments of the progress
20 made and lessons learned with respect to each such
21 plan, as well as any changes made to activities based
22 on the results of such monitoring and evaluation;

23 (4) recommend changes necessary to better im-
24 plement United States Government activities in ac-

1 cordance with the initiative, as well as recommenda-
2 tions for any changes to the initiative; and

3 (5) assess such other matters as the Com-
4 troller General determines appropriate.

5 (b) AVAILABILITY OF INFORMATION.—The heads of
6 all relevant Federal departments and agencies shall ensure
7 that all relevant data, documents, and other information
8 is made available to the Comptroller General of the United
9 States for purposes of conducting independent reviews
10 pursuant to this section.

11 **SEC. 9. DEFINITIONS.**

12 In this Act:

13 (1) APPROPRIATE CONGRESSIONAL COMMIT-
14 TEES.—The term “appropriate congressional com-
15 mittees” means—

16 (A) the Committees on Foreign Relations,
17 Armed Services, and Appropriations of the Sen-
18 ate; and

19 (B) the Committees on Foreign Affairs,
20 Armed Services, and Appropriations of the
21 House of Representatives.

22 (2) RELEVANT FEDERAL DEPARTMENT OR
23 AGENCY.—The term “relevant Federal department
24 or agency” means the Department of the Treasury
25 and any other Federal department or agency the

1 President determines is relevant to carry out the
2 purposes of this Act.

